

## Foreward

# This is the first of a trilogy of essays collectively called "A Tale of Three Copies." ~~The other~~ The other two are "The Grievance" and "The Letter." Each is the story of a single photocopy. They constitute three threads through an extremely complex story of my experience in jail and prison. I eventually may publish these as part of a book.

PEPKE

## Dead Man

Our first ~~exhibit~~ exhibit is a copy with the words "Dead Man 12-15." Here is its story.

After my arrest in April, 2015, I spent eight months in the Wake County (North Carolina) jail. It was unpleasant, and like all jails and prisons, they broke the law. But at least it was clean and professionally run, and as later discovered, they broke the law less than normal.

Late in November, 2015, I was whisked away to court for my federal indictment. Everything I had was taken away, including all my writings for publication. They wound up in the hands of someone I thought was a girlfriend. A year later, I have not gotten them back. I ~~real~~ learned that everything could be taken from me at any time, causing great despair and terror.

After my indictment, I was taken to the Franklin County (NC) jail. There seemed little reason for this, as it was far from both the federal court and the public defender's office. It was, however, obviously beloved of the feds. There were many federal prisoners, our new garnet jumpsuits in marked contrast with the dingy white and gray (felony) and second-hand orange jumpsuits of the state prisoners (misdemeanor), stenciled with the names of their jails.

This jail was old, decrepit, and filthy. We were just thrown into a dorm with many double bunk beds and no supervision. Officers seldom came into the dorm but for one cursory inspection per day around midnight. Prisoners shouted all night, making sleep difficult.

One day I awoke in the small and cluttered medical room. I was told I had been found unresponsive. I was not diagnosed, but I'm pretty sure it was a blood sugar crash, as I am insulin-dependent and had no snacks. I was moved to a "medical

observation" room, a misnomer, as nobody came to check on me. The light was never turned on the several weeks I was there. I had no writing materials and no means to make a phone call. I had only a pencil, some scraps, a Bible (which I cannibalized for pages on which to write), and a book called "Medianoche en Mexico."

Nevertheless, I considered this room an upgrade. At least it was private and sometimes quiet, when the prisoner down the hall was not screaming and banging on his door.

They gave me "food" and insulin through a slot in the door. One day, lunch arrived in a styrofoam box, an unusually sanitary departure from the normal scratched and septic brick red plastic trays. Someone had written "Dead Man 12-15" in Majik Marker on the top, which is how I remember the date. As prisoners had no access to food service or Majik Markers, it must have been staff.

I never figured out if it meant I was already dead or if I was intended to die after eating. I recalled a news story about the guy who recorded Eric Garner's killing by police for selling onesies. It said he was in jail on a hunger strike because of rat poison in his food.

At the time, actually dying seemed a pretty good idea, so I ate it. I did not die. I leave the question of whether this was fortunate or not as an exercise for the reader.

Finding myself not yet dead, I decided to try to preserve this artifact to write about it later. The tray was pretty messy, but I tore the top off and wiped it as well as I could with toilet paper.

I was able to keep it when I was transferred to Pamlico (NC) jail. The new jail was near the court but several hours from the public defender's office by car. After my arraignment, my lawyer and paralegal came to discuss my pre-sentencing report.

I showed the box top to my paralegal. She tsk'd. I opined it was a death threat. She agreed. I gave it to her and asked her to make a photocopy and send it to me. Later, she sent me the photocopy in a large envelope with some legal papers. As far as I know, she still has the original.

I suspected I would not be allowed to keep ~~the~~ any papers. By that time I was estranged from the woman I had thought

was a girlfriend, My paralegal had given me the address of the friend of an Indian guy I thought was a friend. Fortunately, this new jail allowed me to send three domestic letters per week at no charge. I was also able to obtain paper. So I sent writings to this friend of a supposed friend (FOASF)

The next time I spoke with my paralegal, she said that the FOASF refused to accept any more letters but ~~that~~ that the letters had been sent to India. She washed her hands of any further involvement. I gave up any hope that they, including the Dead Man Copy, would ever be seen again.

I was transferred to another jail, sentenced, and finally went to prison. I was not allowed to take any papers, not even legal documents. Months passed.

One day recently in prison, the mail list said I had a book. It wasn't a book. It was a package of my papers from the brother of my supposed Indian friend, who lives in the U.S. The Dead Man copy had returned.

I told the story to our best jailhouse lawyer, who is always at the library, using the fancy typewriter with an CD display mere mortals may not use. He was amazed they let me have the papers and suggested it was probably release. I had sent letters to enough outside agencies but they thought it best to leave my mail alone.

Soon ~~in~~ ~~about~~ ~~13~~ ~~November~~ ~~2016~~ ~~I~~ ~~read~~ ~~a~~ (around 18 November) - read a story in the Greenboro (NC) News and Record. It was about an artist, Sherrill Roland, an MFA student at the University of North Carolina, Greenboro. He had also been imprisoned for not breaking the law nor doing anything wrong. He makes performance art from his experience, wearing an orange jumpsuit in public and engaging people at the student union in a mock-up of a jail visitation setup.

I thought it would be great if he were to use the Dead Man copy in his art. I spent 13¢ (more than an hour's wages for me) to copy it again. I wrote the story so far and mailed it to the reporter, John Newsom, at the newspaper, asking him to copy the letter and Dead Man copy and send

to the artist, Sherrill Roland. I had to wait until Monday, 21 November 2016, to mail it.

I left the sealed letter and copy in a notebook in my cell. It was about 2AM, and I couldn't sleep. At that time, the center of the dorm was deserted, so I walked around. About 3:30, I saw the unit officer, whom I did not know, enter my cell. I realized my ~~no~~ cell mate usually ~~got~~ was woken up about that time to go to work. I continued my walk.

At 5:45, when I needed to go to insulin, I could not find my ID. I went to insulin and breakfast anyway. When I returned, my cell mate, as usual, had returned from work. I could not find my diary or the three letters I wanted to send, including the one to the reporter, John Newsom. I asked my cell mate if he had seen them, and he said he hadn't. I knew that only my cell mate and the unit officer had been in the cell the entire time my ID could have been taken.

I reported the loss to Valentin, the morning Unit Officer. He asked if I had gotten along with my cell mate. We got along fine. Others said he was a thief, but the stories were about commissary items, and stealing an ID, diary, and letter seemed strange. Also, that morning as usual he had left a couple of packets of sweetener, which he never used, for me. Nevertheless, Valentin moved my cell mate out.

Before lunch, many prisoners stand around in the common central area. I told several of them what had happened. One, a custodian, said he remembered seeing something. He suggested I check the trash in the bathroom.

My ID, diary, and three letters were in the trash. The letters had been torn in half. The cover and all but two of the written pages of the diary had been torn off. All were wet.

I had to run to lunch. After, I told Valentin my property had been recovered. He put on blue nitrile gloves and fit the torn letter halves together; I thought this an entirely useless exercise. I spread the diary pages on the newly empty springs of the top bunk to dry.

I agonized about how I could replace the copy with a new

one to send to Newsom. It would cost me 13¢, a lot of money! Then it hit me. The torn copy would make ~~it~~ even better art with more of a story behind it. I wrote a cover letter and sent it along with the letter and copy halves to the reporter, John Newsom.

As only one organization or person has ever replied to a letter ~~of~~ of mine, I have no hope whatsoever that anything will happen. I cannot afford hope or optimism ~~because~~ because over and over again, they have been dashed. It just plain hurts too much, so I simply cannot afford to hope. I've already grieved about sending the torn Dead Man copy to its doom.

I probably also send this essay to its doom.  
Thus endeth the story of the Dead Man copy.

### Afterword

Everyone seems to think this is about a death threat. Unintentionalism is OK, I guess, but for myself I say I think it's about my terror that I'll never ~~communicate~~ be able to communicate in writing again. Maybe I can't convey that very well because I'm still terrified, as I have been for 22 months.

It is 15 January, 2017. I rewrote this essay from a 17 November 2016 original. I shortened it considerably and changed the style from lyrical to more matter-of-fact. I kept the final maudlin, possibly whiny paragraphs because they came true.

I haven't heard from the reporter, John Newsom. A month and a half is more than long enough to wait. I was profligate and spent another stamp to write the artist, Sherrill Roland. It has only been a couple of weeks, but in my experience, the few who write back do so immediately. He might surprise me, but I'm not holding my breath.

The torn Dead Man copy is probably gone forever.

I wasted \$1.27, nine hours' work. Except I can't work because my diabetic shoes haven't come in after 3 months, and besides, they aren't paying many prisoners, claiming a budget shortfall in this the second quarter of the fiscal year.

I made a set of three copies and sent them to the only person on the outside who was giving me emotional and, occasionally, financial support, ~~she~~ hoping to send the essays later. She flipped out and called the prison, causing them to subject me to a frightening interrogation. (She didn't leave her name, so she protected herself.) I got out by the skin of my teeth, but maybe now they are paying special attention to me and what I write.

I cannot afford to be tripped up like this, especially as I am coming upon a hard deadline for my petition for certiorari to the Supreme Court. So I had to terminate our relationship, giving up my last connection with humanity outside these walls. Maybe a miracle will happen and somebody will support me, but again, I'm not holding my breathe. I'm entirely alone and soon won't be able to afford to write, but I absolutely have to do this petition without being attacked.

Two more organizations have written me. One was the Prison Activist Resource Center. They sent me a resource guide. They seem to understand that almost no ostensible prisoner organizations ever write prisoners back. They just don't. This goes double for the ACLU. I think I can do more with a few more essays to advance civil liberties than the entire ACLU has done in decades. So why do they have nice New York offices while I have to fret over 13¢ for a photocopy? Go corporatocracy, yag Republicans, I guess.

The third was an actual letter by a woman with Critical Resistance. It is entirely due to her that I have ~~revisit~~ revisited this essay. She gave me the addresses of two publishers. I had previously written one with a different address from another resource guide, and my letter had come back No Forwarding Address.

I cannot afford two stamps by any stretch of the imagination. I cannot even afford one. But I must thank her. So I'm also enclosing this essay asking her to copy and forward it to the two publishers ~~and~~ <sup>and</sup> any others she can think of.

I almost wrote "in the hopes that," but of course, I have no hope and cannot afford any. This is merely the reflex

action of my slowly dying brain. I watch myself doing it, and it is like a video of baby sea turtles scrambling for the water, knowing they have almost no chance of making it before they are eaten by a seagull.

I'll seal it and drop it in the box. It's metal painted blue with a jagged saw-cut slot. It isn't a real mailbox, so there are no laws about what will happen to my letter. That's the way they like it. If it never arrives, I'll never know.

~~PERRE~~

Then I'll try to forget about it, because I cannot afford hope.